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STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

MASSACHUSETTS.

Tuberculosis—Hospitals—Establishment and Maintenance by Counties for Cities and Towns Having Less than 50,000 Inhabitants. (Ch. 286, Act June 1, 1916.)

SECTION 1. The county commissioners of each county in the Commonwealth, except Suffolk, Nantucket, and Dukes County, are hereby authorized and directed to provide adequate hospital care for all those persons residing in cities or towns having less than 50,000 population, as determined by the latest United States census, within the boundaries of their respective counties and suffering from consumption, who are in need of such hospital care and for whom adequate hospital provision does not already exist. The said hospital provision shall be available for patients on or before the first day of January, 1918; but if, in order to comply with the provisions of this section, it is necessary for any county to construct a new building at an expense exceeding \$10,000, including any necessary payment for land, or to make substantial additions to or alterations in an existing building at an expense exceeding \$10,000, such new construction, addition, or alteration need not be completed until the 1st day of September, 1918.

SEC. 2. A contract entered into before January 1 of the year 1917 for a term of years not less than 5 nor more than 25, and approved by the State department of health after a petition made to the said department and a public hearing thereon, between (a) boards of county commissioners of two adjoining counties, or (b) boards of county commissioners of any county and the legally constituted authorities of any city within the same county, or (c) either county commissioners or the legally constituted authorities of cities of 50,000 or more inhabitants and the trustees or authorities of any existing or future privately endowed tuberculosis institution, or the trustees of any fund available for the purpose of supplying hospital facilities for persons suffering from consumption, for the express purpose of supplying, within a reasonable time as provided in the conditions of approval of the State department of health, and guaranteeing adequate hospital provision for consumptives coming under the provisions of this act, shall be held to be satisfactory compliance with the provisions of this act for such counties, sections of counties, or for such cities or classes of individuals, as the case may be, as are designated in the contract; and such contracts shall, subject to the approval of the State department of health, be renewable upon such terms as shall be satisfactory to the contracting parties: *Provided, however,* That if such contracts are not renewed and approved by the State department of health at least nine months before their expiration, or if the contracts are renewed and the State department of health shall refuse approval on the ground that by reason of changed circumstances the contract will be inadequate properly to protect the public health of the communities affected by it, and the contracting parties fail within six months before the time when the previous contract expires to agree to a renewal of the contract upon terms approved by the State department of health, the duties and obligations relative to supplying adequate hospital care for such counties, or sections of counties, cities, or classes of individuals imposed upon county commissioners and city governments by this act shall be in full force and effect.

SEC. 3. "Adequate" hospital provision for consumptives within the meaning of this act shall be held to mean at least one such hospital bed for each two deaths from consumption in the county, counties, parts of a county, or cities served by such hospitals, as the case may be, as determined by computing the average number of deaths from consumption per annum for the years 1911 to 1915, inclusive, in the communities served by such hospitals, and by a similar quinquennial computation by the State department of health thereafter.

SEC. 4. Cities having more than 50,000 inhabitants within the meaning of this act, and also cities and towns having less than 50,000 inhabitants within the meaning of this act but already possessing and continuing to furnish adequate tuberculosis hospital provision according to section 3, shall be exempt from the provisions of this act and shall not be required to pay any part of the county tax which is assessed in order to comply with the provisions of this act.

SEC. 5. County commissioners are authorized and directed, subject to the approval of the State department of health, to erect one or more hospitals within their respective counties to carry out the provisions of this act, or they may in the case of counties having a total population of less than 50,000 inhabitants, as determined by the latest United States census, arrange to obtain tuberculosis hospital care for those consumptives coming within their jurisdiction by entering into a contract with a tuberculosis institution in a neighboring county in accordance with the provisions of section 2. No new tuberculosis hospital shall be erected under the provisions of this act having a total capacity of less than 50 beds.

SEC. 6. County commissioners are authorized and directed in carrying out the provisions of this act, to raise and expend such sums of money for acquiring land and constructing and equipping hospitals, and for the purchase, alteration, and enlargement of existing buildings, as may be necessary to carry out the provisions of this act. They are authorized to borrow on the credit of the county the said sums of money, and to issue the notes of the county therefor, with interest at a rate not exceeding 5 per cent per annum, payable semiannually. The notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale on such terms or conditions as may be deemed proper, but the proceeds shall be used only for the purposes specified by this act. Said notes may be renewed from time to time until such time as all the cities and towns liable have paid to the county treasurer the amounts assessed. All reimbursement from cities and towns shall be applied to the payment of temporary debt incurred under the provisions of this act by said counties.

SEC. 7. When the hospital is completed and equipped, the county commissioners shall determine the cost of the same, together with the interest paid or due on the bonds or notes issued therefor, and shall apportion the same to the several cities and towns that are liable under this act, in accordance with their valuation used in assessing the county taxes. And each of the cities and towns liable under this act to contribute to the construction and equipment of said hospital shall pay its proportion of said expenses into the treasury of the county in such manner and in such installments as the county commissioners shall, by a special order, direct; and if any city or town shall neglect or refuse to pay its proportion as required by said order, the county commissioners shall, after notice to the city or town, and unless sufficient cause is shown to the contrary, issue a warrant against the city or town for the sum which it was ordered to pay, with interest and the costs of the notice and warrant; and the same shall be collected and paid into the county treasury, to be applied in payment of the expenses aforesaid.

SEC. 8. Any city or town upon which any part of the expense of construction of said hospital shall have been assessed or apportioned by the county commissioners may incur indebtedness, and may issue bonds or other securities for the payment of their respective assessments, outside of their statutory debt limit. Such bonds or

other securities shall be issued upon the serial plan, in accordance with the provisions of chapter 719 of the acts of the year 1913, so far as they apply, and shall be payable within 20 years after their respective dates of issue.

SEC. 9. The county shall provide for the care, maintenance, and repair of said hospital. In January of each year the county commissioners shall apportion the cost of the same for the previous year to the cities and towns liable under this act, in the same proportion in which the cost of the construction was assessed, and shall issue their warrant against the cities and towns for the amount or percentage for which the cities and towns are severally assessed to pay for the maintenance, care, and repair of said hospital. The county may, 30 days after a demand in writing for payment, recover in an action of contract against any city or town liable to pay any part of the cost of construction, maintenance, or repair of said hospital, the amount for which the same may be liable.

SEC. 10. For the purpose of carrying out the provisions of this act county commissioners may purchase or lease, or take by right of eminent domain, such land, not exceeding 500 acres in extent, as they may deem necessary or convenient. Damages for the taking of land or for the doing of any other act under authority hereof may be recovered in the manner provided by law for the recovery of damages in the case of land taken for highways. If land is taken by right of eminent domain, the county commissioners shall file in the registry of deeds for the district where the land is situated, a plan and description of the land taken sufficiently accurate for identification, whereupon title to the land shall vest in the county, to be held for said hospital district.

SEC. 11. The county commissioners shall be trustees of the hospitals erected under the provisions of this act; shall make suitable regulations for their government; and shall appoint superintendents and such other officers and employees as may be necessary for the proper conduct of such hospitals. The superintendents and other physicians employed shall be appointed subject to the approval of the trustees of hospitals for consumptives.

SEC. 12. Patients shall be admitted to the said hospitals through application by the boards or departments of health of the cities and towns served by the hospitals. The charges for the support of patients shall be based on the actual cost of their care and treatment, exclusive of all interest or other expenses pertaining to the construction, equipment, or permanent upkeep of the institution, which expenses shall be a charge against the county, as provided in section 6. Patients may be admitted who pay for their care in whole or in part, on terms fixed by the trustees, or for whom such payment in whole or in part is made by others; but all patients shall be admitted in the order of their application, and no preference shall be given to paying patients over others. The charge for the support of the patient in any hospital established hereunder shall be paid by the city or town by which he is sent to the hospital, so far as the same or any part thereof is not paid by the patient, or in his behalf, as aforesaid. If the patient has no known settlement in the Commonwealth, the charge shall be paid by the Commonwealth upon the approval of the bills by the State board of charity in the same manner as provided by chapter 380 of the acts of the year 1909. Such charges may afterwards be recovered by the city or town or by the treasurer of the Commonwealth, as the case may be, from the patient if he is able to pay, or from any person or kindred bound by law to maintain him, in the manner now provided by section 10 of chapter 474 of the acts of the year 1907, as amended by chapter 17 of the acts of the year 1912, for the recovery of unpaid charges for the support of inmates of the State sanatoria. All cities and towns paying for the support of patients an amount exceeding 50 per cent of the actual cost of maintaining them in hospitals erected, or utilized by contract, under the provisions of this act shall be entitled to any payment or repayments allowed under the laws of the Commonwealth in the same manner and subject

to the same conditions which now apply to the support of tuberculosis patients in a city or town tuberculosis hospital.

SEC. 13. The situation, plans for construction and actual construction of any new hospitals or additions to any existing hospitals, provided for the purpose of carrying out the provisions of this act, shall be subject to the approval of the State department of health. The State department of health, for each hospital maintained by counties under the provisions of this act, and for each hospital caring under contract with county commissioners for tuberculosis patients, shall annually in January appoint from the inhabitants of the cities or towns served by the aforesaid hospitals an unpaid board of five official visitors, of whom two shall be women, whose duty it shall be to visit the said hospitals from time to time and to make such suggestions and recommendations relative to the improvement of their management, and to the efficient and humane care of patients, as they may deem proper, jointly to the county commissioners and the State district health officer within whose jurisdiction the institution is situated.

SEC. 14. The mayors of the cities of Chelsea and Revere and the chairman of the board of selectmen of the town of Winthrop shall have and exercise, for the purposes of this act, the powers given to county commissioners, and they are hereby designated as a board of trustees for the tuberculosis hospital district comprising the cities of Chelsea and Revere and the town of Winthrop, and they are hereby authorized and directed to provide adequate hospital care for persons residing in the cities of Chelsea and Revere and the town of Winthrop suffering from consumption who are in need of such hospital care in the same manner as county commissioners are directed in section 1.

SEC. 15. Nothing in this act shall be construed to repeal chapter 527 of the acts of the year 1913, or chapter 153 of the General Acts of the year 1915, or section 35 of chapter 75 of the Revised Laws and the amendments thereof, in so far as the said acts pertain to cities having a population of 50,000 or more inhabitants within the meaning of this act, or in so far as such acts pertain to the care of diseases other than consumption or to the inspection of institutions by the State district health officers; but so much of the said acts as requires cities and towns having less than 50,000 population to make hospital provisions for tuberculosis patients is hereby repealed.

Commission on Social Insurance—Required to Study Effects of Sickness, Unemployment, and Old Age—State Department of Health to Cooperate. (Ch. 157, Resolve June 1, 1916.)

Resolved, That a special commission, to be composed of two members of the senate to be appointed by the president, four members of the house of representatives to be appointed by the speaker, and three other persons to be appointed by the governor, shall sit during the recess of the general court, and shall be known as the commission on social insurance. It shall be the duty of the said commission to study the effects of sickness, unemployment, and old age in Massachusetts, to collect facts as to actual experience with the several forms of insurance therefor, and to recommend to the general court such legislation as it may deem practical and expedient to protect the wage earners of the Commonwealth from the burdens of sickness, unemployment, and old age, or any one or more of these. The State department of health and the bureau of statistics are authorized and directed to cooperate with the commission in every way feasible in carrying out the purpose of this resolve, and in case either or both of said departments shall undertake investigations deemed necessary by the commission, they shall be allowed for their necessary expenses, outside their regular appropriations, such sums as shall be approved by the governor and council.

The commission shall report to the next general court with drafts of such laws as it may recommend, and it shall file its report with the clerk of the senate or with the clerk of the house not later than the first Wednesday in January.